

PATIENT ADVOCATE FOR YOU, LLC

SHARON GAUTHIER RN/MSN-IRNPA
Independent RN Patient Advocate



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EVERYONE NEEDS AN ADVOCATE

March 16, 2012

To the Public Health Committee
Raised Bill 5434

AN ACT CONCERNING THE PROFESSIONAL STANDARD OF CARE FOR EMERGENCY MEDICAL CARE PROVIDERS

My name is Sharon Gauthier and I am a registered nurse with a graduate degree in Public Health and Community Nursing. I have worked as an Emergency Room Nurse for a number of years which lead me into developing a private company that provides independent patient advocacy to patients and families while navigating the healthcare system. Many of my clients start in the emergency department as many do when entering the hospital.

I object to any legislation that protects the providers more than the patients. Although I understand the complexity of emergency medicine we should never allow those providing care to not be accountable. The standard of care has to be honored at all times. In the event there is a deviation from that standard there should be a mechanism to be sure those caregivers and providers are accountable. To have an exception to the standards and an exception to accountability places a greater risk on patients as they enter the emergency department.

There should never be a moment that an acute or chronic issue is not identified and action provided to those patients who trust the system. There should never be a moment that a provider is assured and reassured with legislation that there will not be accountability on their part to provide only the best to everyone who enters that system. It doesn't take "reckless disregard" to harm someone and who decides what an "unreasonable risk" is?

The emergency department through the years has changed into a playground for residents and a training room for new graduate nurses. As budgets tightened in the last 15 years less and less were required by the system of staff. No longer did nursing staff have to be certified as an emergency nurse or in advanced cardiac life support. No longer was there a requirement for a Trauma certification. It was encouraged but not required. We bring in new graduates with a promise to provide them with mentors and ongoing training for months that often turns out to be only weeks before they are on their own when staffing becomes an issue. I've experienced seeing a newborn baby arrive in the emergency department before children's hospital became certified as a trauma center and watched as people tripped over each other not knowing how to even turn the warmer on. So few knew anything about pediatrics and it was the hope that someone from children's would get there fast enough to take over.

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I've watched an alcoholic die from a ruptured gall bladder because no one took him seriously when he complained about abdominal pain; he was 42 years old and had 3 young children. I was there when a 15 year old came into the emergency department after a car accident that had a death in the automobile and only after being admitted to children's did they finally diagnose a dissection of his aorta but too late to save his life.

The stories are true and there are many more. Did anyone purposely do harm? No but should they all be accountable for the lack of expertise, caring, staffing, exhaustion or frustration? I would guess everyone who has harm done to them or a loved one the answer would be YES.

Do not legislate to protect the healthcare system, legislate to protect the patients. We already have federally funded clinics who cannot be sued and work with our most vulnerable population. I can tell you many in that system will wear that as a badge stating that they can't be sued so why are we worried.

I say we need to be worried and now I am even more worried that we have our government going farther by developing legislation that does not protect patients and families. This is the wrong decision to make and I ask each of you to think about what this does before you vote yes.

Thank you for allowing me to testify.

Sharon M. Gauthier RN/BSN/MSN
Independent RN Patient Advocate
sharon@ptadvocate4u.com
www.ptadvocate4u.com